



Sen. Kwame Raoul

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09800SB3258sam001

LRB098 18904 OMW 56152 a

1 AMENDMENT TO SENATE BILL 3258

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3258 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Correctional Budget and Impact Note Act is  
5 amended by changing Sections 2, 3, 6, 8, and 9 and by adding  
6 Section 4.4 as follows:

7 (25 ILCS 70/2) (from Ch. 63, par. 42.82)

8 Sec. 2. Budget impact note required.

9 (a) Every bill which creates a new criminal offense for  
10 which a sentence to the Department of Corrections may be  
11 imposed; or which enhances any class or category of offense to  
12 a higher grade or penalty for which a sentence to the  
13 Department of Corrections is authorized; or which requires a  
14 mandatory commitment to the Department of Corrections; or which  
15 requires that a prisoner shall receive sentence credit other  
16 than one day of sentence credit for each day of his or her

1 sentence of imprisonment or recommitment; or which increases  
2 the length of a term of mandatory supervised release, shall  
3 have prepared for it prior to second reading in the house of  
4 introduction a brief explanatory statement or note which shall  
5 include a reliable estimate of the probable impact of such bill  
6 upon the overall resident population of the Department of  
7 Corrections and the probable impact which such bill will have  
8 upon the Department's annual budget.

9 (b) Every bill that (i) creates a new criminal offense for  
10 which a commitment to the Department of Juvenile Justice or to  
11 a juvenile detention facility, sentence of probation,  
12 intermediate sanctions, or community service may be imposed or  
13 (ii) enhances any class or category of offense to any grade or  
14 penalty for which adjudication, commitment, or disposition by a  
15 circuit court to the custody of a Probation and Court Services  
16 Department may result shall have prepared for it prior to  
17 second reading in the house of introduction a brief explanatory  
18 statement or note that shall include a reliable estimate of the  
19 probable impact of the bill upon the Department of Juvenile  
20 Justice, as well as the overall probation caseload Statewide  
21 and the probable impact the bill will have on staffing needs  
22 and upon the annual budgets of the Illinois Supreme Court and  
23 the counties of this State.

24 (Source: P.A. 89-198, eff. 7-21-95.)

1           Sec. 3. Preparation of note.

2           (a) Upon the filing ~~request of the sponsor~~ of any bill  
3 described in subsection (a) of Section 2, the Director of ~~the~~  
4 ~~Department of~~ Corrections, or any person within the Department  
5 whom the Director may designate, shall prepare a written  
6 statement setting forth the information specified in  
7 subsection (a) of Section 2. Upon the filing ~~request of the~~  
8 ~~sponsor~~ of any bill described in subsection (b) of Section 2,  
9 the Director of Juvenile Justice and the Director of the  
10 Administrative Office of the Illinois Courts, or any person  
11 each ~~the~~ Director may designate, shall prepare a written  
12 statement setting forth the information specified in  
13 subsection (b) of Section 2.

14           The statement prepared by the Director of Corrections,  
15 Director of Juvenile Justice, or Director of Administrative  
16 Office of the Illinois Courts, as the case may be, shall be  
17 designated a Correctional Budget and Impact Note and shall be  
18 filed with the Clerk of the House or the Secretary of the  
19 Senate, as appropriate, and furnished to the sponsor within 10  
20 calendar days thereafter, except that whenever, because of the  
21 complexity of the bill, additional time is required for the  
22 preparation of the note, the Department of Corrections,  
23 Department of Juvenile Justice, or Administrative Office of the  
24 Illinois Courts may so notify the sponsor and request an  
25 extension of time not to exceed 5 additional days within which  
26 such note is to be furnished. ~~Such extension shall not extend~~

1 ~~beyond May 15 following the date of the request.~~

2 (b) Upon the filing of any bill requiring the preparation  
3 of a written statement under subsection (a), the sponsor of the  
4 bill in the house of introduction shall inform the Department  
5 of Corrections, the Department of Juvenile Justice, and the  
6 Administrative Office of the Illinois Courts of the filing of  
7 the bill.

8 (Source: P.A. 92-16, eff. 6-28-01.)

9 (25 ILCS 70/4.4 new)

10 Sec. 4.4. Preferred funding source. Within 5 days after  
11 receiving the statement required in Section 3 of this Act, the  
12 sponsor shall file with the Clerk of the House or the Secretary  
13 of the Senate, as appropriate, a written statement identifying  
14 the sponsor's preferred means of funding the costs to be  
15 incurred by the legislation. The required identification shall  
16 be made either by specifying (i) the additional tax or other  
17 revenue source from which an amount equal to the costs  
18 identified are to be generated or (ii) the specific line item  
19 or items in the budget for the current fiscal year that would  
20 be reduced or eliminated to reach an amount equal to the costs  
21 identified.

22 (25 ILCS 70/6) (from Ch. 63, par. 42.86)

23 Sec. 6. Preparation of note. No comment or opinion shall be  
24 included in the note with regard to the merits of the measure

1 for which the note is prepared; however technical or mechanical  
2 defects may be noted.

3 The work sheet shall include, insofar as practicable, a  
4 breakdown of the costs upon which the note is based. Such  
5 breakdown shall include, but need not be limited to, costs of  
6 personnel, room and board, and capital outlay. The note shall  
7 also include such other information as is required by the rules  
8 and regulations which may be promulgated by each house of the  
9 General Assembly with respect to the preparation of such notes.

10 The note shall be prepared in quintuplicate and the  
11 original of both the note and the work sheet shall be signed by  
12 the Director of the Department of Corrections or such person as  
13 the Director may designate, by the Director of Juvenile  
14 Justice, or such person as the Director may designate, or by  
15 the Director of the Administrative Office of the Illinois  
16 Courts, or any person the Director may designate.

17 (Source: P.A. 89-198, eff. 7-21-95.)

18 (25 ILCS 70/8) (from Ch. 63, par. 42.88)

19 Sec. 8. Amendments; notes required. Whenever any measure is  
20 amended on the floor of either house in such manner as to bring  
21 it within the description of bills set forth in Section 2  
22 above, ~~a majority of such house may propose that~~ no action  
23 shall be taken upon the amendment until the sponsor of the  
24 amendment presents to the members a statement of the budget and  
25 population impact of his or her amendment, as required by this

1 Act.

2 (Source: P.A. 83-1031.)

3 (25 ILCS 70/9) (from Ch. 63, par. 42.89)

4 Sec. 9. Confidentiality before introduction. The subject  
5 matter of bills submitted to the Director of ~~the Department of~~  
6 Corrections, the Director of Juvenile Justice, or the Director  
7 of the Administrative Office of the Illinois Courts shall be  
8 kept in strict confidence and no information relating thereto  
9 or relating to the budget or impact thereof shall be divulged  
10 by an official or employee of the Department or the  
11 Administrative Office of the Illinois Courts, except to the  
12 bill's sponsor or his designee, prior to the bill's  
13 introduction in the General Assembly.

14 (Source: P.A. 92-16, eff. 6-28-01.)

15 (25 ILCS 70/4 rep.)

16 Section 10. The Correctional Budget and Impact Note Act is  
17 amended by repealing Section 4.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law."